

REMARKS

Applicant respectfully, again, wishes to express his gratitude for the extreme courtesy which he was shown by the Examiner during their May 6, 2008 interview.

Applicant respectfully contends that FUSILLO discloses non-analogous art, generally, and even if it were to be considered specifically, the structure disclosed in FUSILLO is not the same as, nor does it teach, anticipate suggest or disclose the object of this disclosure, nor does it have or even suggest a structure which does or could accomplish the same effects during use as Applicant's device as disclosed herein.

Among the numerous distinguishing elements, between Applicant's and FUSILLO's physical differences, is the fact that the structure of the object of FUSILLO's disclosure relates to protruding "struts", this being arm-like protrusions which grasp a bag—singular—and not for display purposes, and therefore there is no consideration made or required for the bag's aesthetic appearance while the device is in use. Consequently, nowhere does FUSILLO even remotely suggest the structure of guiding "walls" which force an item to be held to be in what would amount to "perfect" alignment with regard to any at least a second item which would be introduced for holding. Although it is possible for Applicant's device to be able to hold only one display item, the extra value offered by Applicant's device is that in the event that it would be desirable for a second display item to be displayed, the user may rest assured that an aesthetically pleasing display alignment is, essentially, guaranteed. With the device of FUSILLO, not only can there be one—and only one—item reasonably introduced for holding in the device, even if multiple items were, indeed, forced into the device, there is no provision in FUSILLO's device to deal with the issue of aesthetic display alignment of the held display items. In all practicality, FUSILLO's structure can not function to hold MULTIPLE bags and it was never contemplated that its use could be for the holding of multiple bags; "As can be appreciated, the twisted end of the bag can be pulled into and engaged by a first and second set of jaws in bordering quadrants, or it may be pulled into and engaged by three or even all four sets of jaws in succession." (FUSILLO: Column 5, lines 2-6) . Thus, FUSILLO does not function in the same manner as Applicant's device and FUSILLO's

structure is also, accordingly, different, because the use of FUSILLO's device for display purposes was never contemplated.

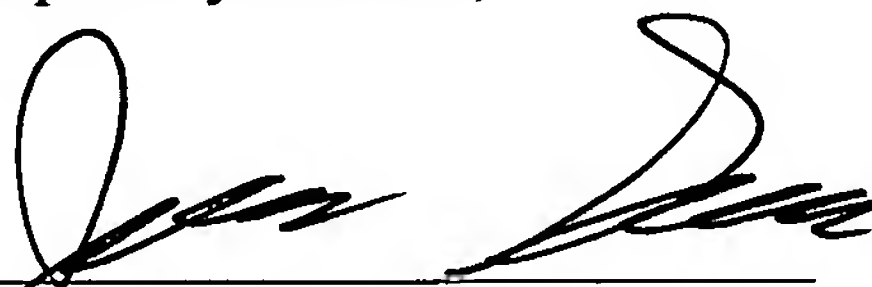
CONCLUSION

In view of the foregoing remarks, and for at least the reasons set forth herein by Applicant in this case, since no prior art structure exists to perform the function(s) that the device of Applicant's disclosure permits or describes, teaches, or suggests the novel combination of each and every element of the claims, therefore, the Applicant believes the claims herein presented are patentable over all prior art under 35 U.S. C. Section 102(b).

Accordingly, Applicant respectfully requests the entry of the amendments contained herein, and contends that this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes that a telephone conference with Applicant would be advantageous towards the disposition of this case in a manner favorable to Applicant, the Examiner is requested contact Applicant at anytime at the telephone number listed below. An early and favorable action is hereby requested.

Date: June 24, 2008

Respectfully submitted,



Jerome Glasser, Applicant
USPTO Customer No. 40232
Telephone: (973) 818-7845